

June 2006

PLACEMENT OF POLITICAL CAMPAIGN SIGNS

This handout presents general information about City requirements for the placement of political campaign signs. Candidates and campaigns are requested to follow these instructions as well as the more specific regulations set out in the attached three pages from the Municipal Code, to help insure fairness and compliance with the law.

For placement of signs affixed to the ground and not requiring permits, written notification must be sent to the Chief Building Official. The notification shall contain the name, address and telephone number of the person in your campaign responsible for sign placement. This notice must identify the candidate or measure and must provide a means to identify the person responsible for placing the signs. (Permits are not required for stake supported signs not more than 6 feet tall and not greater than 32 square feet in area. Permits are required for signs affixed to the ground, which are taller than 6 feet or greater than 32 square feet in area.) The Chief Building Official's address is Buildings and Safety Division, P.O. Box 5006, Fremont, CA 94537. If you have specific questions about particular signs or location restrictions, please call Community Preservation at 510-494-4521.

POLITICAL CAMPAIGN SIGNS MAY BE PLACED ON PRIVATE PROPERTY ONLY BY OR WITH CONSENT OF THE PROPERTY OWNER.

POLITICAL SIGNS ON PUBLIC PROPERTY.

It is unlawful to place political signs on public property, except where specifically permitted – i.e., on non-wood poles, kiosks and bulletin boards. Examples of public locations where not to place signs include public buildings, barricades, fences, streets, sidewalks, street medians, landscape strips between curbs and sidewalks (see attached diagram), street or traffic signs, traffic signals or their standards, any right-of-way, trees, shrubs or other similar public property. However, a single political campaign sign, not exceeding 14 inches at the longest dimension, may be placed on non-wood poles, kiosks or public bulleting boards, so long as the sign is affixed by tape of a kind that will not damage the object on removal. The Community Preservation Section and other city employees will monitor the placement of signs and summarily abate those signs found to be unlawfully placed on public property.

There is a general city prohibition on placement of objects (including signs) that block the right-of-way or vehicular or pedestrian lines of sight. Signs placed so as to impede lines of sight will be summarily removed.

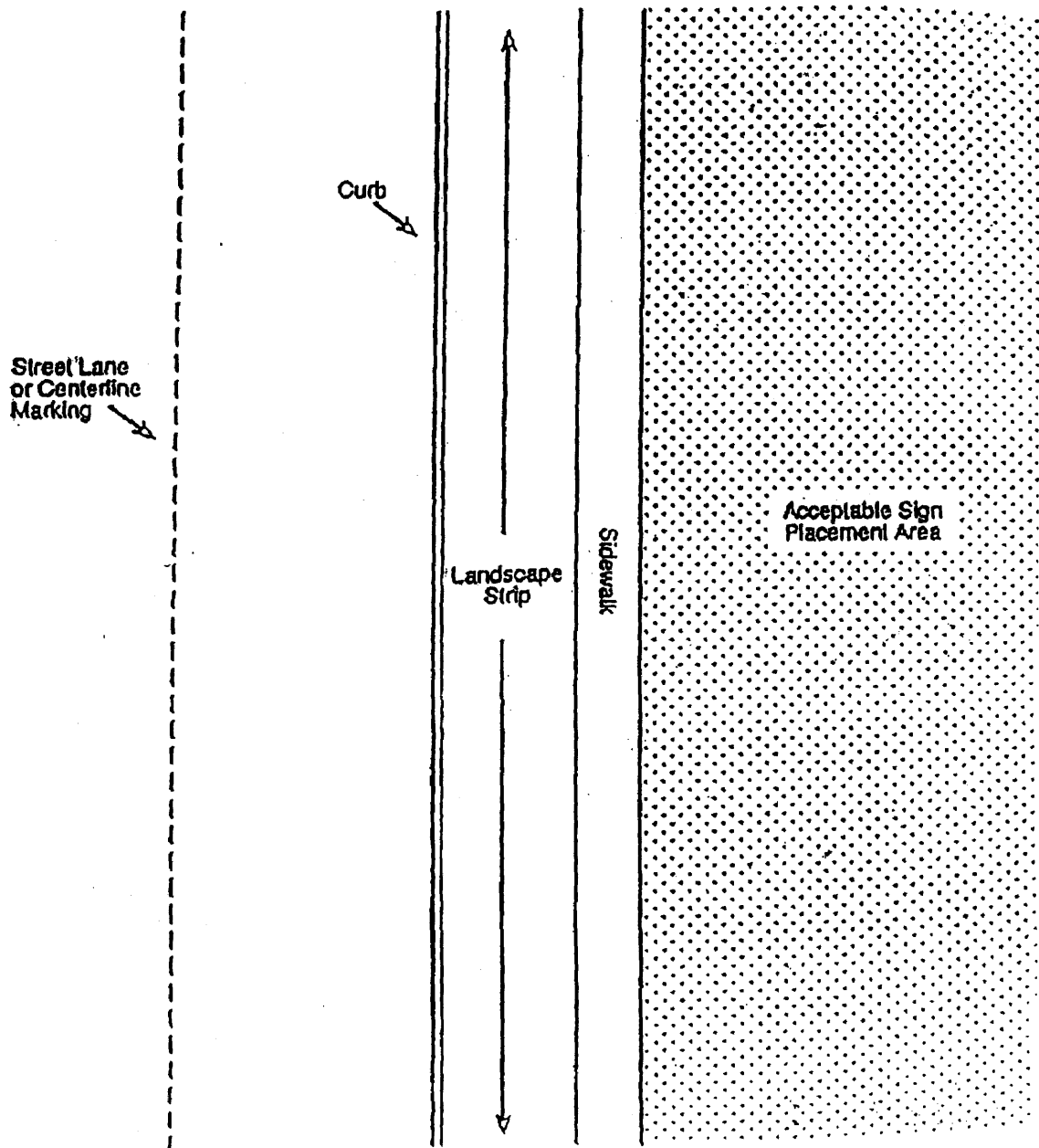
POLITICAL CAMPAIGN SIGNS MUST BE REMOVED NO LATER THAN 15 DAYS AFTER THE ELECTION.

This handout is intended to provide only general guidance. To be informed of the full range of City-enforced regulations pertaining to political campaign signs, please read the attached pages of the Municipal Code. Note that this handout does not describe all the regulations pertaining to the signs discussed above or pertaining to all the other kinds of campaign signs that may be lawfully placed. The attached Municipal Code pages must be consulted as to all signs.

If you need assistance or have questions on this subject, please contact the Community Preservation Section main line at (510) 494-4430.

Thank you in advance for your cooperation and compliance.

**CAMPAIGN SIGN PLACEMENT
STREETS WITH CURBS AND SIDEWALKS
(Not to Scale)**



NOTE: Campaign signs are not allowed on public property except as expressly provided. This drawing is intended only as an aid in locating private property on which campaign signs may be placed (with property owner permission.)

PLANNING AND ZONING

(I) *Political Campaign Signs.**

- (1) *General:* Signs containing nonappurtenant sign copy relating to political campaigns for the election of candidates for public office or election upon measures submitted to the electorate (political campaign signs), may be placed upon any lot in private ownership, by or with the consent of the owner, subject to the provisions of this subsection (I).
- (2) *Signs affixed to ground, no permit required:* No sign permit (or building or other permit) shall be required for any political campaign sign which is affixed to the ground of any lot, does not exceed six feet in height, and does not exceed thirty-two square feet in sign area, subject to the following requirements:
 - (a) A candidate or political campaign committee or sign company or other person responsible for the placement of political campaign signs for a particular candidate or measure shall inform the chief building official in writing of the intention to place such signs within the city in compliance with the provisions of this subsection (I).
 - (b) The notice to the chief building official shall identify the candidate or measure included in the sign copy, and shall identify some symbol, emblem, mark or other characteristic on the signs to distinguish such signs from other signs which may relate to the same candidate or measure which may be placed by another person.

**Editor's note*—Section 1 of Ord. No. 1376, adopted May 5, 1980, amended subsection (H) to read as herein out. Subsection (H) has been redesignated as (I) pursuant to Ord. No. 1424, enacted Dec. 16, 1980. Section 2 of Ord. No. 1376 provided as follows:

"Section 2: Notwithstanding subsection (a) of section 8-22306 of the Fremont Municipal Code, the provisions of subsection (H) of section 8-22101.6 [8-22106] of said Code as adopted by section 1 of this ordinance shall not be applicable to commercial advertising structures commonly referred to as billboards, lawfully existing as of January 1, 1958, until such time when such billboard(s) is removed by the owner or abated pursuant to law."

- (c) Every such sign shall consist of wood or other materials, and be posted or otherwise affixed to the ground in a manner so that such sign cannot be easily blown or knocked down.

Cross reference—Signs at street intersection which create traffic hazard by obstructing vision prohibited, § 8-22108(e).

- (3) Signs affixed to ground, permit required. Political campaign signs affixed to the ground exceeding six feet in height and/or thirty-two square feet in area may be allowed in accordance with the following limitations and requirements:
 - (a) No more than one such sign may be placed upon a lot, or two or more lots in single ownership.
 - (b) The lot on which any such sign is to be placed is undeveloped.
 - (c) The sign will be set back at least twenty-five feet from side lot line of any adjacent developed lot.
 - (d) The sign will not obscure any other existing sign which conforms to the provisions of this chapter, or any uses located on any adjacent lot on the same street.
 - (e) The maximum height of the sign shall not exceed twenty feet from the ground where located.
 - (f) The maximum sign area of the sign shall not exceed one hundred thirty square feet.
 - (g) A sign permit shall be obtained for each such sign, accompanied by fees prescribed therefor. (A building and other permits may also be required pursuant to this Code.)
- (4) *Signs placed on single-family dwellings:* No sign permit (or building or other permit), or notice of intention, shall be required for any political campaign sign placed upon a single-family dwelling by, or with the consent of, an occupant of the lot upon which such dwelling is located provided that the total sign area of such sign or signs does not exceed thirty-two

square feet in sign area, subject to the following requirements: No such sign shall project above the height or from the sides of the dwelling, or block access to or from any door or window, and every such sign shall be placed in a manner to secure it from being blown or falling down.

- (5) *Signs affixed to windows of occupied buildings:* No sign permit (or building or other permit), or notice of intention, shall be required for any political sign affixed to the interior side of any window (with the sign copy of such sign directed to the exterior) of any occupied building (including multiple dwellings, commercial and industrial enterprises, and other uses, except for single-family dwellings), by or with the consent of an occupant of the building (or the dwelling unit of a multiple dwelling, or the section of a nonresidential building, occupied by such occupant in which such windows are located), provided that the total sign area of such sign or signs does not exceed thirty-two square feet in sign area for each such building (or dwelling unit or section of building occupied).
- (6) *Signs replacing commercial and industrial district signs:* No sign permit (or building or other permit), or notice of intention, shall be required for any political campaign sign which consists of sign copy replacing (temporarily during the campaign) sign copy of a freestanding sign, building sign, public service sign, display structure sign, or traveling message sign, located in a commercial or industrial district and approved pursuant to the regulations of this article applicable to such signs. The sign copy of any such political campaign sign shall be integral with the structure containing the sign copy in the same manner as the sign copy which is being temporarily replaced during the campaign.
- (7) *Political campaign signs on public property:* Political campaign signs may be placed on public property only on nonwood poles,

kiosks and public bulletin boards only as provided in this subpart (7) of this subsection (I). Signs found to violate this subpart of this subsection may be summarily removed by anyone.

- (a) Each sign must state the name and address of the person responsible for its placement and the date of its placement.
 - (b) Each sign must be capable of being removed without marring or otherwise damaging the object to which it is attached.
 - (c) No sign may be affixed with glue or any other substance except tape.
 - (d) No portion of a sign may protrude from the edge of the object to which it is attached.
 - (e) Signs authorized by this subpart (7) of this subsection (I) may not exceed fourteen inches at their longest dimension.
 - (f) Only one copy of a single sign may be posted on a single light pole.
 - (g) Placement in medians of streets is prohibited.
- (8) *Prohibited political campaign signs:* No person shall place or affix any political campaign sign upon any property except pursuant to the foregoing provisions of this subsection (I). Included within this general prohibition, but not limited thereby, are the following:
- (a) Except as expressly authorized by subpart (7) of this subsection (I), no person shall place or affix any political campaign sign on public property, including but not limited to buildings, fences, utility guy wires, support wires, traffic signs, signals or standards or on any tree or shrub located on any public property.
 - (b) No person shall place or affix any political campaign sign upon the exterior of any building or other struc-

ture upon any lot except as otherwise permitted pursuant to subparagraphs (4), (5) and (6).

- (9) *Removal of signs after election:* Every political campaign sign shall be removed within fifteen days following the election related to such sign. Any such sign on private property which is not so removed shall be subject to abatement pursuant to subsection (a) of section 8-22108, or any remedy provided by law including collection of the costs to the city for such removal as a personal debt of the person responsible for the placement of such sign. Any such sign on public property which is not so removed shall be subject to summary removal by the city, and the person or group responsible for its placement shall be liable for the cost of such removal and the cost of billing and bill collection.

(J) *Nonpolitical Campaign Signs.* Temporary nonpolitical signs, containing appurtenant or nonappurtenant sign copy announcing a campaign, drive or event of a public or quasi-public organization which has received tax-exempt status from the franchise tax board may be allowed upon any lot. No such sign shall be used more than one month prior to the particular campaign, drive or event announced in the sign.

A sign permit shall be required; however, no fee shall be charged therefor. The permit number shall appear on each sign posted for the purpose of identification. The permittee shall indicate in the application the approximate number and locations of the signs to be posted.

All such signs for a particular campaign, drive or event shall be collectively subject to the provisions of section 8-22108(b) to assure removal of such signs at the termination of the campaign, drive or event, or the expiration of one month from the initial use of any such sign, whichever shall occur first.

(K) *Roadside Stands.* A single low-profile, planter-type sign may be permitted on the same street frontage where the roadside stand is located. The sign may be located within five feet of the street right-of-way line and shall not exceed six feet in height nor twenty-four square feet in sign area. A

building sign may be maintained upon a single building frontage. A building sign may be allowed a sign area of one square foot for each linear foot of the width of such building frontage, up to a maximum sign area of thirty-two square feet.

(L) *Off-site Directional Signs.* For automobile dealerships when part of a unified development consisting of four or more automobile dealerships situated on contiguous lots and/or on opposing lots separated by a roadway, and when located within one mile of a freeway interchange, one off-site sign may be erected adjacent to a freeway directing customers to the location of the dealerships. Such off-site signs shall not exceed thirty feet in height above the finished grade, and the sign copy shall not exceed one hundred fifty square feet in area. The sign shall only provide directional information. No individual dealership identification shall be permitted. Lettering for the signs shall be restricted to channel letters, illuminated either internally or externally, although one-half of the sign face may be dedicated for use by an electronic traveling message board. No such sign shall be permitted within one thousand linear feet of another off-site sign as measured along the freeway. The signs shall be designed as pylon-type structures. All such signs shall be provided with an operable irrigation system and landscaping prior to the final sign-off on the building permit. All such signs shall be subject to the review and approval of the development organization.

(Ord. No. 1309, § 2, 2-27-79; Ord. No. 1376, § 1, 5-8-80; Ord. No. 1386, §§ 77, 79, 6-17-80; Ord. No. 1424, § 1, 12-16-80; Ord. No. 1608, §§ 1-4, 4-24-84; Ord. No. 1618, § 1, 8-7-84; Ord. No. 1630, § 1, 10-2-84; Ord. No. 2200, § 1, 10-22-96; Ord. No. 2212, § 1, 12-10-96; Ord. No. 2278, § 1, 3-3-98; Ord. No. 2292, §§ 5, 6, 6-23-98; Ord. No. 2379, §§ 2, 3, 5-9-00.)

Sec. 8-22107. Commercial and industrial districts in proximity to freeways and controlled access highways.

(A) *Freestanding Signs.* The following restrictions apply to freestanding signs when in proximity to freeways:

- (1) No freestanding sign other than a low-profile, planter-type sign may be permit-